

CHARTER REVIEW COMMITTEE

MINUTES

December 7, 2020

Webex Conferencing System

5:30 p.m.

CALL TO ORDER Chairperson Singer called the meeting to order at 5:31 p.m.

PRESENT Chairperson David Singer, Vice Chairperson Otis Wheeler, Councilor Shelia Gilmour, Councilor Christine Forgey, Erin Donnally Drake; John Lunt and Allen Woods (present at 5:35 pm)

ABSENT None.

ALSO PRESENT Mayor Roxann Wedegartner and Glen Ayers.

CHAIR STATEMENT: This meeting is being recorded by the Charter Review Committee. If any other persons present were doing the same they must notify the chairperson at this time.

MOTION: On a motion by Councilor Forgey, second by Councilor Wheeler, it was by roll call, 6 yes, 0 no,
VOTED: TO APPROVE THE CHARTER REVIEW COMMITTEE MINUTES OF NOVEMBER 9, 2020, AS AMENDED TO THE FOLLOWING:

- ~~Create a foundation with~~ The City Charter **is the foundation of our local government and changes should be made sparingly; changes can more easily be made with to allow** Ordinance ~~to be flexible to accommodate~~ **allowing flexibility in accommodating** future changes.
- **At the same time** the City Charter could be viewed **as** similar to the Constitution in which amendments ~~need to~~ **can** be made to reflect future matters as they present themselves.
- Section 4.2 (b) School Committee Chair Power and Duties there was ~~disagreement~~ **discussion** as to whether the School Committee Chair or the full School Committee members could appoint all members of all committees of the School Committee. **The School Committee uses a policy manual which discusses this and other matters and it was suggested that it could be aligned with the City Charter.**
- ~~Section 4.2 (a) School Committee Chair Election and Term, the proposed recommendation excluded the Mayor from the position of Chair to the School Committee.~~
- ~~The School Committee used a policy manual and it was suggested that it could be aligned with the City Charter.~~
- Rationale was provided both for and against allowing the Mayor to be Chair of the School Committee **in Section 4.2 (a).**
- Rationale was provided both for and against the Chair of the School Committee's ~~being the~~ position to break a tie vote on appointments for **School Committee** vacancies. **Need language to determine process for choosing new member and timeline for voting.**
- Suggestion was made to remove the language from Section 5-2 (a) School Committee Budget Public Hearing as follows: "The notice shall further indicate the times and places at which complete copies of the proposed budget are available for examination by the public, and it shall indicate the date, time and place [not less than seven (7) nor more than fourteen (14) days following such publication]," to alleviate some of the Superintendent and School Committee's budget timeline issues. **It was noted that reasonable notice and time for public to comment are very important.**

MOTION: On a motion by Councilor Gilmour, second by Councilor Forgey, it was by roll call, 6 yes, 0 no,

VOTED: TO APPROVE THE CHARTER REVIEW COMMITTEE MINUTES OF NOVEMBER 23, 2020.

Chairperson Singer opened continued discussion on Article 6 of the Charter: Administrative Organization. Suggestions and recommendations included:

- Mayor Wedegartner proposed the following:
 - Section 6-7: Planning and Construction of Municipal Buildings and Other Facilities, subsection (b) Powers and Duties – add the following language (in bold) to second paragraph “Whenever any construction work on any municipal building or other facility is authorized, the Planning and Construction Committee shall be responsible for **advising the Mayor on** all work in connection with the project including site planning, surveying, engineering studies, architectural plans and specifications and the supervision of construction.”
 - Addition of a new section for the establishment of a Mayor’s Housing Task Force.
 - Remove the Department of Central Maintenance from Section 6 due to the fact that the Department was now under the jurisdiction of the Department of Public Works.
 - The Mayor was asked if she had considered the advantages, if any, to codifying task forces in the Charter and if the Mayor had the ability to create task forces outside of the 10 year Charter review.
- David Singer spoke about why Section 6-6 was in the Charter. The purpose of the Central Maintenance Department as described in the Charter was to provide maintenance services for the City as well as the Schools. The goal was to merge the maintenance funding from Chapter 70 and municipal funds and create a separate entity to ensure maintenance occurred across the board. Councilor Wheeler indicated that the City Council approved an Ordinance for Central Maintenance to become part of the DPW. Singer asked: Since the school buildings were under the jurisdiction of the School Department, was a vote ever taken by the School Committee to allow Chapter 70 funds to be incorporated in to the general funds of the City budget? The Committee agreed this needed to be looked into.
- Section 6-11: Public Safety Commission, subsection (f) Meetings, 1. – The Commission shall meet ~~on a regular basis~~ **at least once per month.**
- Discussion about whether the Public Safety Commission meets the needs of those whose civil rights were violated by public safety employee of the City. Can the Charter language be amended or expanded in this Section or was there a need for a separate Police Civilian Review Board. Committee members felt that in order to add a Police Civilian Review Board, a separate city wide committee should be formed by the Mayor to explore.
- Suggestion was made to increase the number of members on the Public Safety Commission to allow the possibility of establishing a more diverse panel and to add a provision that addressed the need to have diversity by stating the Mayor must make an effort to appoint members with diversity in mind.
- Section 6-12: Library Trustee, subsection (d) 2. – Add the following language (in bold): To make all reasonable rules and regulations for the operation and management of the Library in consultation with the Mayor **and the Library Trustees.**
 - Subsection (e) – Amend language as follows: ...Responsibility for the ordinary maintenance of library buildings and grounds ~~may be~~ **has been** transferred to a City Central Maintenance Department by ordinance adopted by the City Council. Suggestion was made to amend further as follows.....Responsibility for the ordinary maintenance of library buildings and grounds ~~may be transferred to a City Central Maintenance Department~~ **will be** by ordinance adopted by the City Council.
- Section 6-14: Board of Assessors, Subsection (a) – A question was raised as to the Acting Chief Assessor’s need to be certified in order to have the ability to vote. Discussion about adding language

to the Charter which helped address the concern about instances of Assessors having “conflicts of interest” or what constitutes “corruptive practices.” There would be further discussion on this issue to establish proposed language for this section.

- General discussion about the need to change this section by adding more assessors and determining how many were elected and how many were appointed under MGL Chapter 59.
- Section 6-16: Board of Health – Currently the Charter simply states how many members, how appointed, what qualifications were needed and that its powers were governed by the general laws and home rule. Suggestion was made that the Board of Health, not the Mayor, oversee and be responsible for the Health Department. The question was, under the Home Rule, can a City decide to have the Board of Health or the Mayor be in charge of the Health Director, or was there a law or regulation that controls? Needed to be researched.
- Since Greenfield was a City, it had the option to vote to change from Board of Health to a Health Department. In order to do so, the city would need to:
 - In accordance with Massachusetts General Law Chapter 111, Section 26A, the City Council, with approval of the Mayor, could vote to create a Health Department, which would consist of a Health Commissioner, to replace the Board of Health.
- A question was raised as to whether City Departments were required to be enumerated by the City Charter and/or the Code of Greenfield. Needed more discussion.

Next meeting would be on Monday, December 21, 2020, 5:30 pm, via Webex Conferencing System

ADJOURNMENT: On a motion by Councilor Wheeler, second by Councilor Gilmour, it was unanimously,

VOTED: TO ADJOURN THE MEETING AT 7:20 P.M.